**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

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|---|---|
| In Re:  Methyl Tertiary Butyl Ether("MTBE") Products Liability Litigation | **Master File No. 1:00-1898** **MDL No. 1358 (SAS)** **M21-88** |

This Document Relates To:
*Town of Duxbury v. Amerada Hess Corp. et al.,*
Case No. 04-CV-1725

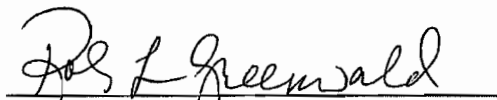### STIPULATION AND ORDER DISMISSING ALL CLAIMS AGAINST GETTY PETROLEUM MARKETING INC.

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, the Plaintiff Town of

Duxbury and Defendant Getty Petroleum Marketing Inc. ("GPMI"), hereby request that the

Court enter this voluntary dismissal with prejudice of all claims against GPMI as set forth in

Plaintiff's Eighth Amended Complaint, filed on October 24, 2006.  The Parties agree to the

dismissal and further agree that such dismissal is with prejudice, with each party bearing its own

costs, expenses and attorneys' fees.  Plaintiff reserves all other rights as against all other

defendants.
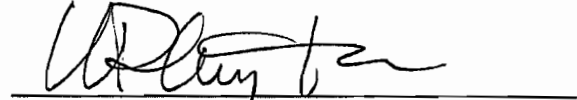

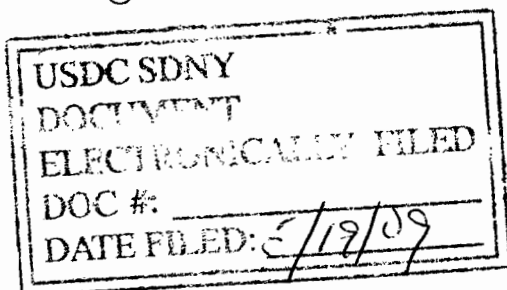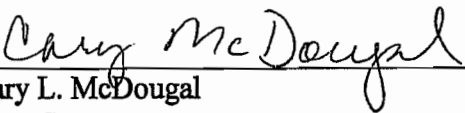DATED: April 22, 2009                              DATED: April 20, 2009



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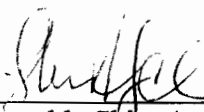Facsimile: (214) 520-1181
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*Town of Duxbury*

SO ORDERED:

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The Honorable Shira A. Scheindlin
United States District Judge


Dated: _____5/19/09_____